GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES, LABOUR AND MUNICIPAL ADMINISTRATION DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Yemmigouda Estates, Pollibetta Post, Coorg District.

Award of the Labour Court, Bangalore published.

Read the following papers:

(1) Letter No 642/67-68, dated 4th September 1967 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 4th day of September 1967.

Present:

Sri P. T. KADKOL, B. SC., LL.B. *Presiding Officer.*

Reference, No. 45 of 1966.

Workmen represented by the Secretary, Estates Staff' Union of South India, Chickmagalur. ... *I Party.*

Vs.

The Management of Yemmigoondi Estate, Pollibetta Post, Coorg District. ... *II Party.*

Reference: Government Order No. LMA 113 LLD 66, dated 6th April 1966.

AWARD

The Government of Mysore being of opinion that an Industrial Dispute exists between the Workmen and the Management of Yemmigoondi Estate, Pollibetta Post, Coorg District have referred it for adjudication to this Court, under Section 10 (1) (c) of the

Industrial Disputes Act, 1947. by their Order No. LMA 113 LLD 66, dated 6th April 1966, setting out the following points of dispute for adjudication :—

> "Whether the Management of Yemmigoondi Estate, Pollibetta Post, Coorg (Proprietors: The Consolidated Coffee Estates (1943) Limited, Pollibetta Post, Coorg) are justified in dismissing Sri M. T. Bopaiah, Overseer from service with effect from 31st August 1965. If not, is he entitled to reinstatement with back wages and continuity of service from that date or other relief if any ?"

2. The cause of the aggrieved workman has been sponsored by the Estates Staffs' Union of South India, Chickmagalur, which is a registered trade union. This Union as repre-enting the workmen is the first party and the Management of Yemmigoondi Estate is the second party in this proceeding. Mr. Pinto has appeared for the Union and Mr. K. Ramadas has appeared for the management.

3. In response to the notice issued by this court, the Union has submitted its statement of claims dated 30th April 1966, the management has submitted its statement of objections thereto dated 6th June 1966 and the Union has submitted its rejoinder dated 15th July 1966. On the basis of these pleadings various issues were framed and set down for hearing on 28th November 1966 (*Vide* Order Sheet).

4. The aggrieved workman in this case is M T. Bopaiah who was working as an overseer in the Yemmigoondi Estate under the management of the second party. He sent a memo dated 8th May 1967 to this court by registered post stating that he had decided to withdraw from the present dispute and hence the proceedings may be closed. It was received in this Court on 12th May 1967. As the case was to be heard in Mercara notice was issued to both the parties to appear before me in Mercara on 30th August 1967.

5. When the case was called at Mercara on that day, it was found that Mr. Pinto was not present. The aggrieved workman M. T. Bopaiah, however, was present. Mr. Ramadas was present for the management. When questioned by me, the aggrieved workman Bopaiah stated that he did not want to prosecute this

dispute. I recorded his deposition the same day and it is W W 1. The memo sent by him is marked Ex A. In his deposition before me Bopaiah has stated that he wants to withdraw from this dispute and further he has sent the memo Ex.A. to this court duly signed by him. Since the aggrieved workman himself does not want to press this reference, it shall have to be rejected. Hence I make an Award as under:

AWARD

The Reference is rejected as requested by the aggrieved workman M. T. Bopaiah in the memo marked Ex.A. which should be annexed to this Award and be deemed as forming part thereof. No costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

"Copy"

P. T KADKOL,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE HONOURABLE LABOUR COURT, BANGALORE.

In the matter of Ref No LMA 113 LLD 66
dated 6th April 1966 (Ref. No. 47 of 1966)

Sri M. T. Bopaiah, Overseer, Yemmigoondi Estates. Pollibetta P.O., Coorg District, represented by the Estates Staffs' Union of South India, 'ESUSI House' Vijayapura Extension, Chikmagalur. ... *I Party.*

Vs

The Management, Yemmigoondi Estates, Pollibetta P O., Coorg District ... *II Party.*

I beg to bring to the kind notice of the Honourable Labour Court the above Reference No. LMA 113 LLD 66, dated 6th April 1966 (Ref. No. 47 of 1966) pending before the Court for adjudication.

I have now decided to withdraw the above dispute on my own accord and I have no claim whatsoever with the II Party Management in the above dispute.

I would kindly request the Honourable Court to close the above papers as I am withdrawing the above dispute voluntarily pending before the Honourable Labour Court.

A copy of this petition is sent to the IInd Party Management and also the Secretary for Mysore State. Estates Staffs' Union of South India, ESUSI HOUSE, Vijayapura Extension, Chikmagalur, for information.

Dated this the 8th day of May 1967 at Pollibetta, Coorg.

(Sd.) M. T Bopaiah
Ist Party.

I give below my present address :—

M T Bopaiah,
Dhanugala Village,
Mayamudi Post,
S. Coorg.

Seen to day.
To be taken up at Mercara
Intd P T. K.
12/5
Marked Ex A.
Intd. P. T. K.
30/8.

"COPY"

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

ORDER.

Bangalore, dated 14th September 1967.

S. O 1894.—WHEREAS by State Government Order No. LMA 113 LLD 66, dated 6th April 1966, the Industrial Dispute between the Workmen and the Management of Yemmigonda Estates, Pollibetta Post, Coorg District, was referred to the Labour Court, Bangalore for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No LMA 113 LLD 66.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT, *Under Secy.*